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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/990,026 12/12/97 OZAKI

T 381NT43975

LMC1/0926
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WASHINGTON DC 20005

EXAMINER

BROWN, R

ART UNIT

PAPER NUMBER

2711

DATE MAILED:

09/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/990,026

Applicant(s)
Ozaki, et al

Examiner
Reuben M. Brown

Group Art Unit
2711



☒ Responsive to communication(s) filed on Jun 14, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 20-22 and 58 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 20-22 and 58 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Continued Prosecution Application

1. The request filed on 5/12/2000 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/990,026 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 20 & 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Batchelor, (U.S. Pat # 5,724,103), in view of Hidary, (U.S. Pat # 5,774,664).

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Considering claim 20, the claimed terminal device of a media integrating system comprising a display block for displaying information is met by the monitor 30 of Batchelor. The claimed input control block for accepting an input instruction from outside the terminal device is necessarily included in Batchelor, in that personal computer systems require at least a keyboard for a user to input instructions. The claimed memory for storing a program is met by the DRAM device 34 and hard disk drive 36, (Fig. 1; col. 2, lines 14-54). The claimed broadcast receiving block for receiving broadcast information to extract video, audio and data is met by the receiver 24, NTSC decoder 28 and VBI decoder 26. The claimed additional limitation of a package control block for reading from a package is met by optical disk drive 38. The claimed further limitation of package control block for writing data to a package is met by the operation of Batchelor, wherein the user has the option of saving the retrieved text/graphic information to a file so that the information may be recalled by the user, (col. 3, lines 11-12).

The claimed CPU for executing program and performing control on the blocks is disclosed by the CPU 32 of Batchelor, (col. 2, lines 49-54). The claimed additional means of a broadcast receiving block which acquires link information for giving an instruction for reading particular information from the package such that the package control block is controlled by link information to read information stored in the package and display the read information, is met by the operation of Batchelor, in that text/graphics information are read from the CD-ROM and

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displayed on the monitor, in coordination with the received TV broadcast, (col. 1, lines 41-54; col. 3, lines 13-29).

Batchelor does not specifically disclose the additional limitation of the “communication control block communicating with information providing device”. It is noted that this limitation merely reads on connecting the personal computer system 10 of Batchelor to an external network, such as the Internet. Connecting a computer to the Internet in order to obtain information is extremely well known in the art, and is demonstrated by Hidary. The claimed communication control block for performing communication with an information providing device is met by the operation of Hidary which discloses Internet access for the TV/PC system 16, (col. 5, lines 21-46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the personal computer system 10 of Batchelor, with the feature of interfacing with a modem, for the known improvements in a multimedia environment of enabling a user terminal device to interface with a TV broadcast network, as well as a communication network as taught by Hidary, (col. 1, lines 17-61).

The claimed information providing device is broad enough to read on an Internet server, which provides information to end users, necessarily included in Hidary. The claimed CPU for executing a program and performing control on each of the blocks is necessarily included in Hidary, (col. 4, lines 28-57). The claimed information reading means that, based on link

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information added to a broadcast signal for giving an instruction for reading information stored in an information providing device, controls the communication control block to read information from the information providing device is met by the operation of Hidary, (Abstract; col. 4, lines 28-56) which discusses a means for providing URL links in TV broadcast program which allows for related information to be provided from an information provider/Internet server.

The further claimed limitation of adding link formation to a broadcast signal for giving instruction for reading information stored in a package and controlling the package control block to read the stored information from the package device reads on Batchelor, (col. 2, lines 49-54), in that text/graphics information are read from the CD-ROM and displayed on the monitor, in coordination with the received TV broadcast.

Considering claim 58, the claimed elements of a terminal device of a media-integrating system, which corresponds with subject matter mentioned above in the rejection of claim 20, are likewise rejected. Claim 58 adds the newly claimed limitation of wherein the broadcast information, particular information read from the package device and information from the information providing device are displayed simultaneously on the user's display device. Accordingly, Fig. 2 of Batchelor shows a screen of a user's display device which includes a window 40 that displays broadcast TV programming and a separate window 42, which simultaneously shows information retrieved from an optical disk 38, see col. 2, lines 55-67.

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Moreover, Hidary is directed to a multi-media-integrated system which enables a user to view web pages from the Internet, based on URL's embedded in broadcast TV programming or from URL's embedded in package devices such as video tapes or DVD. Hidary furthermore teaches that information from the broadcast TV programming may concurrently be displayed on a display device, along with web pages from the Internet, preferably in an adjacent window, col. 8, lines 19-44).

Thus both Batchelor and Hidary use similar multi-window technology in order to concurrently display information from multiple media sources. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Batchelor by concurrently displaying information from any number of sources such as a package device, broadcast TV program and the Internet, for the desirable benefit of more efficiently and coherently presenting the multiple media sources to the user, as motivated by the disclosure of Hidary (col. 1, lines 65-67- col. 2, lines 1-12; col. 2, lines 54-67), which clearly teaches the benefits of combining multiple media information in a manner that is most useful to the consumer. Thus the combination of Batchelor (Fig. 2) and Hidary, (col. 8, lines 19-44) provides for the simultaneous display of multiple media sources using the technique of multiple windows on a viewers display device.

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4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary, in view of Mages, (U.S. Pat # 5,892,825).

Considering claim 21, the claimed elements of a terminal device of a media integrating system, including a display block for displaying information is met by the display 18 of Fig. 2. The claimed input control block for accepting an input instruction from the outside and memory block for storing a program are necessarily included, at least in the PC 16 of Hidary. The claimed broadcast receiving block for receiving broadcast information and to extract video, audio and data signals from the received broadcast reads on Hidary (col. 7, lines 8-28; col. 8, lines 18-30). The claimed communication control block for performing communication with an information providing device is necessarily included in Hidary, which discloses that the PC 16 interacts with the Internet, (Abstract). The PC 16 of Hidary also necessarily includes a CPU which controls the functions of the multimedia system including control of the broadcast receiver, modem, memory, display and CD-ROM drive, etc.

Regarding the further claimed limitation of a means for storing into the information providing device link information for reading particular information from a broadcast reads on Hidary, (col. 8, lines 45-67 thru col. 9, lines 1-7), which discusses synchronizing information on a Web page with video from a TV broadcast or video from a package device such as a DVD, Beta

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or VHS. Hidary particularly teaches that in the event the user clicks on a URL link while browsing the Internet, wherein the URL link corresponds to a particular broadcast channel that for instance relates to the content of the present web page, then a software is turned on which automatically tunes the user's TV in order to receive the appropriate broadcast programming. Therefore Hidary discloses storing link information in the Internet, which controls a TV receiver.

The additional claimed limitation of controlling the package control block based on instructions of link information added to the information providing device, is not necessarily specifically shown by Hidary. Nevertheless, Mages discloses a method of controlling the particular information read from a package device, according to a URL link which a users clicks while browsing a web page, (col. 5, lines 65-67 thru col. 6, lines 1-55). Mages discusses an Internet server, which upon the request of a user provides a key to user's remote computer, such as audio/video header information, which relates to particular information stored on a CD-ROM at a user's computer, which enables the user's CD-ROM reader to read the instant audio/video information. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Hidary with the teachings of Mages, for the known desirable purpose of a multimedia device which more efficiently utilizes the convergence of CD-ROM and the Internet technologies as taught by Mages (col. 3, lines 28-60; col. 5, lines 1-10).

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5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary, in view of Hamaguchi, (U.S. Pat # 5,726,702).

Considering claim 22, the claimed elements of a terminal device of a media integrating system, including a display block for displaying information is met by the display 18 of Fig. 2. The claimed input control block for accepting an input instruction from the outside and memory block for storing a program are necessarily included, at least in the PC 16 of Hidary. The claimed broadcast receiving block for receiving broadcast information and to extract video, audio and data signals from the received broadcast reads on Hidary (col. 7, lines 8-28; col. 8, lines 18-30). The claimed communication control block for performing communication with an information providing device is necessarily included in Hidary, which discloses that the PC 16 interacts with the Internet, (Abstract). The PC 16 of Hidary also necessarily includes a CPU which controls the functions of the multimedia system including control of the broadcast receiver, modem, memory, display and CD-ROM drive, etc.

Regarding the further claimed limitation of a reading means that, based on an instruction of link information stored in the package device, controls the communication control block to read information stored in the information providing device is met by the disclosure of Hidary, (col. 1, lines 65-67; col. 9, lines 3-8 thru col. 10, lines 1-2), which discusses that URL links may

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be added to package devices such as CD-ROM, DVD or VHS tapes, which when clicked by the user, causes a corresponding web page to be displayed on the monitor.

Even though it is not specifically shown that the package device used in Hidary's multimedia apparatus contains links or control information which controls the user's broadcast receiver, Hamaguchi multimedia apparatus discloses this technology, (col. 23, lines 10-44). In particular, Hamaguchi teaches that date, time & channel information with respect to specific broadcast programs may be stored on a CD-ROM. Thus when a user clicks an icon with respect to the specific broadcast information, the instant program information is retrieved from storage and may be used to either reserve or tune to the desired program, (col. 25, lines 15-25; col. 25, lines 35-67 thru col. 26, lines 1-19). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teachings of Hidary, with teachings of Hamaguchi for the well known benefits of more efficiently utilizing the information storage technology of a CD-ROM.

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Response to Arguments

6. Applicant's arguments filed 6/14/2000, have been fully considered but they are not persuasive.

On page 3, applicant argues that neither Batchelor nor Hidary suggests or motivates one of skill in the art to provides separate links to different types of media from one type of media, such as broadcast information. Examiner respectfully disagrees with applicant's assertion, since Hidary particularly points out that the purpose of the invention is to "close the gap between video programming and the information superhighway of the Internet". Hidary is directed to "integrating audio/visual and textual database elements into an organized unique interactive, educational, entertainment experience". Thus Hidary teaches the usage of URL links within the VBI of a TV broadcast program and within the software of a package device, which enables a user to readily access corresponding information on the Internet. Therefore Hidary, clearly provides motivation to modify Batchelor, which similarly teaches embedding information in the VBI of a TV broadcast program that controls the retrieval of at least graphics and text information from a package device, which corresponds with the subject matter of the instant TV program.

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Finally, examiner contends that one of ordinary skill in the art, when presented with Batchelor which teaches embedding link control information in the VBI of a TV broadcast to automatically retrieve corresponding information from a package device, and the teachings of Hidary which discloses embedding URL links in a TV broadcast and a package device in order to also automatically retrieve corresponding information from the Internet, would have found it obvious to combine the two references, given the motivation provided by Hidary of the advantages of creating a multi-media-integrated educational and entertainment system, which is most efficient for the consumer.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's claims.

A) Kikinis Teaches simultaneous display of TV programming and Internet information, Fig. 2C.

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Any response to this action should be mailed to:

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (703) 305-2399. The examiner can normally be reached on Monday thru Friday from 830am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



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